

**STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF ENVIRONMENT**

**IN THE MATTER OF:**

**PETITION FOR REVIEW OF  
THE STATE CERTIFICATION  
OF LOS ALAMOS NATIONAL LABORATORY  
INDIVIDUAL STORMWATER PERMIT  
NPDES PERMIT NO. NM0030759**

**No. SWQB 20-78**

**Newport News Nuclear BWXT-Los  
Alamos, LLC and United States Department of Energy,  
Petitioners.**

**AMENDED SCHEDULING ORDER**

On March 26, 2021, the undersigned Hearing Officer entered an order vacating the June 16, 2021, hearing on this matter, on condition that the parties submit new hearing dates to the Hearing Clerk within 21 days of the order. The parties having submitted new hearing dates in accordance with the order and the Hearing Officer having reviewed the dates and being otherwise full apprised of the issues involved;

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The public hearing in this matter shall be held via a virtual platform to commence at 9:00 a.m. on August 18, 2021 and may continue through August 19, 2021, as necessary.
2. Notices of Intent (NOI) to Present Technical Testimony (Pre-Filed Direct Technical Testimony): shall be filed with the Hearing Clerk on or before July 9, 2021, and an electronic copy served on all other parties. Technical evidence or testimony means scientific, engineering, economic or other specialized evidence or testimony. It does not mean legal argument, general comments or statements of policy. NOIs shall:
  - (a) identify the person filing the notice;

(b) identify each witness, including name, address, affiliation(s), and educational and work background;

(c) identify all exhibits which are part of the record and, for exhibits not part of the record, attach a copy;

(d) list or make available all technical materials relied upon by each witness in making statement of technical fact or opinion contained in his or her direct testimony; and

(g) attach the full testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s).

3. Pre-Filed Rebuttal Technical Testimony: Pre-filed rebuttal technical testimony shall be filed no later than August 11, 2021 and served on all parties. Exhibits attached shall be marked with “Rebuttal” on each page.

4. Notice: The Department shall prepare a public notice of the hearing in English and in Spanish. The department shall give notice of the appeal hearing at least 30 days prior to the hearing. The notice shall state the date, time, and location of the appeal hearing and shall include the pertinent information listed in Subparagraphs (b), (c), and (d) of Paragraph (2) of Subsection E of 20.6.2.2001 NMAC.

5. The hearing will be transcribed verbatim by a court reporter, the cost of which shall be negotiated by the parties.

Gregory Chakalian Digitally signed by Gregory Chakalian  
Date: 2021.04.22 19:03:48 -06'00'

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GREGORY CHAKALIAN  
Administrative Law Judge, OPF

APPROVED:

NEW MEXICO ENVIRONMENT DEPARTMENT

By: /s/John Verheul  
John Verheul  
Assistant General Counsel

NEWPORT NEWS NUCLEAR BWXT-LOS ALAMOS, LLC

By: /s/Louis W. Rose  
Louis W. Rose  
Montgomery & Andrews, P.A.

U.S. DEPARTMENT OF ENERGY

By: /s/Thomas Aug  
Thomas Aug